

REMARKS

Claims 1-31 are pending, with Claims 1 and 16 amended. Applicants respectfully request reconsideration and reexamination of the application.

Applicants wish to thank the Examiner for discussing the restriction requirement and possible amendments to Claims 1 and 16 on May 25, 2005 during a telephone conference with the undersigned.

Examiner indicated restriction to one of the following inventions is required under 35 U.S.C. § 121. Specifically, Examiner grouped Claims 1-15 and 23-31 as Invention I and grouped Claims 16-22 as Invention II. Applicants elect Claims 1-15 and 23-31 as Invention I, but traverse the restriction requirement and reserve the right to prosecute non-elected Claims 16-22 in one or more divisional applications.

TRAVERSAL

MPEP §§ 806 and 806.05 recite that for related inventions, restriction is never proper if the related inventions are not distinct. MPEP §§ 806 further refers to MPEP § 802.01 for criteria for patentably distinct inventions, which defines the term "distinct" to mean that "two or more subjects as disclosed are related, for example, as combination and part (subcombination) thereof, process and apparatus for its practice, process and product made, etc., but are capable of separate manufacture, use, or sale as claimed, and are patentable (novel and unobvious) over each other."

Examiner indicated that the product as claimed can be made using a wide variety of known processes for making microlens arrays. Applicants respectfully disagree and have amended Claims 1 and 16 based upon discussions with Examiner to further clarify certain

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aspects of the present invention. Furthermore, it is believed that upon a review of amended Claims 1 and 16, the same search will be required. Thus, based upon a review of the limitations of Claim 1 with respect to Claim 16, Applicants believe that Examiner will determine that Claims 1 and 16 are not distinct and "patentable over each other," as required by the MPEP cited above, and that the restriction requirement should be withdrawn as improper.

Accordingly, Applicants respectfully traverse the restriction requirement and submit that Claims 1-31 are in proper form for allowance. Reconsideration and withdrawal of the restriction requirement is respectfully requested and a timely Notice of Allowance is solicited.

If there are any questions regarding any aspect of the application, please call the undersigned at (949) 752-7040.

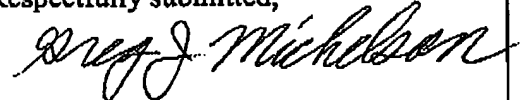
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I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents at fax no. (703) 872-9306 on the date stated below.


Tina Kavanaugh

May 26, 2005

Respectfully submitted,



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